

**Notice of Allowability**

Application No.

09/516,381

Examiner

Olisa Anwah

Applicant(s)

ANDERS ET AL.

Art Unit

2645

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/20/5.
2. ☒ The allowed claim(s) is/are 20-41,43 and 44.
3. ☒ The drawings filed on 20 May 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152).
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Art Unit: 2645

**Allowance**

1. Claims 20-41, 43 and 44 are allowed.
2. The following is an examiner's statement of reasons for allowance:

Howe et al, U.S. Patent No. 5,590,171 (hereinafter Howe) fails to disclose the pre-selected options selected from an options groups consisting of:

- connecting the telephone call,
- transmitting the electromagnetic signal,
- terminating the telephone call,
- stopping the electromagnetic signal,
- generating a second marker means for marking the location of the telephone call data and storing the at least one pre-selected data and the marker means in the at least one database,
- generating a second marking means and storing the at least one pre-selected data with the marker means in the at least one database,
- playing a recorded message in conjunction with the telephone call,
- forwarding the telephone call,
- sending the telephone call to the user and controlling the telephone call by the user,

Art Unit: 2645

sending the telephone call to the user and monitoring the telephone call by the user,

requesting information from the called party,

responding to information from the calling party,

responding to information from the called party,

storing the at least one pre-selected data in the at least one database,

storing the at least one electromagnetic signal in the at least one database,

determining billing for the call and billing the call,

generating a second marker means and storing the beginning time of the telephone call with the second marker means in the at least one database,

generating a second marker means and storing the ending time of the telephone call and storing the length of the telephone call in the at least one database, and

combinations thereof.

Miner et al, U.S. Patent No. 6,047,053 (hereinafter Miner) is also considered to be pertinent to Applicant's invention. Among other things, Miner fails to teach the claimed billing option.

Art Unit: 2645

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

#### **Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Application/Control Number: 09/516,381

Page 5


Art Unit: 2645

O·A

Olisa Anwah

Patent Examiner

July 27, 2005



FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600